

REMARKS

Status of the claims:

With the above amendments, claims 1, 2, 6, and 10-22 have been canceled and claims 3, 4, 5, 7, 8 and 9 have been amended. Claims 3, 4, 5, 7, 8, and 9 are pending and ready for further action on the merits. No new matter has been added by way of the above amendments. Claims 3, 4 and 5 have been amended by the incorporation of the subject matter of claim 1 and claims 3, 7, 8 and 9 have further been amended simply to correct spelling mistakes, which are non-narrowing in scope. Reconsideration is respectfully requested in light of the following remarks.

Claim Objections

Claims 5 and 9 have been objected to under 37 CFR §1.75(c) for allegedly failing to further limit an earlier claim. Claim 5 has been made independent and amended slightly to make it more clear. Applicants respectfully submit that both claims 5 and 9 are of a scope that differs from all the other pending claims and both are readily understandable. Applicants also tried to take into consideration the Examiner's suggestion of using the language "the same" when a polymer having two different repeating units was recited, as in claim 5. Applicants believe the objections have

been obviated. Withdrawal of the objections is warranted and respectfully requested.

**Rejections under 35 USC §112, second paragraph**

Claims 6-9 have been rejected under 35 USC §112, second paragraph as being indefinite. The Examiner asserts that the claims are unclear if there are two or more repeating units (as in claim 5). The Examiner has suggested reciting "the same repeat unit" to address these co-polymers. Applicants have amended claim 5 accordingly. Claim 6 has been canceled so the rejection is moot with respect to this claim. Claims 7-9 are now believed to be clear and correctly dependent from claims 3-5, respectively. Claims 6-9 have also been rejected for mis-spelling "polyvinylcarbazol". Applicants have amended claims 7-9 so that "polyvinylcarbazol" is now spelled correctly. Applicants believe that with the amendments to the claims that these rejections have been obviated. Withdrawal of the rejection is warranted and respectfully requested.

**Rejections under 35 USC §102**

Claims 1, 2, and 10 are rejected under 35 USC §102(b) as being anticipated by Han et al. (Polymer Preprints, 40(2), pp. 1234, (1999)). Applicants have canceled claims 1, 2 and 10 so the

rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

Claims 11-12 are rejected under 35 USC §102(b) as being anticipated by Savant '221 (US Patent No. 5,384,221). Claims 11-12 have been canceled. Thus, the rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

Claims 1, 2, and 10 are rejected under 35 USC §102(b) as being anticipated Han et al. III (Han et al., Mol. Cryst. Liq. Cryst., Vol. 327, pp. 271-274, (1999)). Claims 1, 2, and 10 have been canceled. Thus, the rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

#### **Rejections under 35 USC §103**

Claims 1, 2, 6 and 10-22 are rejected under 35 USC §103(a) as being unpatentable Han et al. III (Han et al., Mol. Cryst. Liq. Cryst., Vol. 327, pp. 271-274, (1999)). Claims 1, 2, 6 and 10-22 have been canceled. Thus, the rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

#### **Allowable Subject Matter**

Applicants would like to thank the Examiner for acknowledging that claims 3, 4, 5, and 7-9 are free of the art. Applicants have made claims 3, 4, and 5 independent, which Applicants believe has addressed all of the Examiner's rejections.

Accordingly, with the above remarks and amendments, it is believed that the claims, as they now stand, define patentable subject matter such that passage of the instant invention to allowance is warranted. A Notice to that effect is earnestly solicited.

**Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact T. Benjamin Schroeder (Reg. No. 50,990), at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

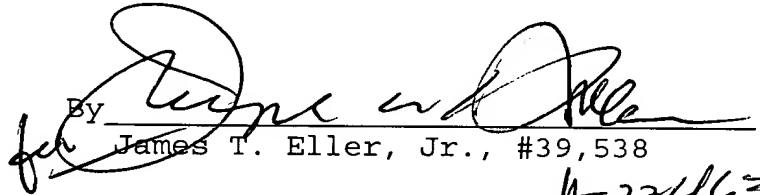
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

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required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of  
time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
for James T. Eller, Jr., #39,538

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

BS  
JTE/TBS/jmb  
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